

# Guidance for the State Fiscal Year 2007 Local Environmental Protection Program

## Kansas Department of Health & Environment Bureau of Water, Watershed Management Section

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## Abbreviations & Acronyms

BOW – Bureau of Water  
 EPA – U.S. Environmental Protection Agency  
 KAR – Kansas Administrative Regulation  
 KCW – Kansas Clean Waters (the new web-based system for LEP and EPA319 grants)  
 KDHE – Kansas Department of Health & Environment  
 KSA – Kansas Statutes Annotated  
 KWO – Kansas Water Office  
 LEP – Local Environmental Protection  
 LEPP – Local Environmental Protection Program  
 LEPPG – Local Environmental Protection Group  
 LEPP – Local Environmental Protection Program  
 LEP Plan – Local Environmental Protection Plan  
 SFY – State Fiscal Year (July 1 through June 30)  
 TMDL – Total Maximum Daily Load

WMS – Watershed Management Section  
**SFY 2007 Grant Process and Timeline**

<b>Target Date</b>	<b>Activity</b>
May 5, 2006	Copies of the 2006 LEP Plan are made available to the LEPPs on the KCW system. LEPPs revise it to create their 2007 LEP Plan. Step-by-step instructions on how to complete and revise the LEP Plan are on pages 8-10 of this document.
June 2, 2006	LEPPs submit online LEP Plan on or before this date.
June, 2006	KDHE mails out Base Grant Agreements.
July 1, 2006	LEPPs submit signed Base Grant Agreements to this KDHE address: SFY2007 Local Environmental Protection Grant KDHE Bureau of Water, Watershed Management Section 1000 SW Jackson, Suite 420 Topeka, KS 66612-1367
August, 2006	KDHE makes payment to LEPPs.
October 15, 2006 January 15, 2007 April 15, 2007 July 15, 2007	LEPPs submit quarterly affidavit to their Watershed Field Coordinators. Performance report needs to show progress.
July 15, 2007	LEPPs submit Performance Report.

## KDHE Technical Assistance

KDHE assistance with development and implementation of the LEP Plan will be provided by the Watershed Field Coordinators or by the River Basins Coordinators:

### Watershed Field Coordinators

Beth Rowlands, Lawrence 785-842-4600 [browland@kdhe.state.ks.us](mailto:browland@kdhe.state.ks.us)

Doug Schneweis, Hays 785-625-5663 [dschnewe@kdhe.state.ks.us](mailto:dschnewe@kdhe.state.ks.us)

Richard Basore, Wichita 316-337-6020 [rbasore@kdhe.state.ks.us](mailto:rbasore@kdhe.state.ks.us)

### River Basins Coordinators, 785-296-4195

Rob Beilfuss [rbeilfus@kdhe.state.ks.us](mailto:rbeilfus@kdhe.state.ks.us) -- Upper Republican, Solomon, Smoky Hill-Saline, Kansas-Lower Republican, and Missouri Basins

Scott Satterthwaite [ssattert@kdhe.state.ks.us](mailto:ssattert@kdhe.state.ks.us) -- Upper Ark, Cimarron, Lower Ark, Neosho, Walnut, Verdigris, and Marais des Cygnes Basins

These individuals are also available to provide assistance:

### KDHE Bureau of Water

Administrative assistance: Lisa Duncan-Edes, 785-296-4195 [lduncan-edes@kdhe.state.ks.us](mailto:lduncan-edes@kdhe.state.ks.us)

General guidance: David Gurss, 785-296-1683 [dgurss@kdhe.state.ks.us](mailto:dgurss@kdhe.state.ks.us)

General guidance: Don Snethen, 785-296-4195 [dsnethen@kdhe.state.ks.us](mailto:dsnethen@kdhe.state.ks.us)

### District Environmental Administrators

Julie Coleman, Lawrence 785-842-4600 [jcoleman@kdhe.state.ks.us](mailto:jcoleman@kdhe.state.ks.us)

Rick Brunetti, Salina 785-827-9639 [rbrunett@kdhe.state.ks.us](mailto:rbrunett@kdhe.state.ks.us)

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Michael Jones, Wichita 316-337-6020 [mjones@kdhe.state.ks.us](mailto:mjones@kdhe.state.ks.us)

David Stutt, Chanute 620-431-2390 [dstutt@kdhe.state.ks.us](mailto:dstutt@kdhe.state.ks.us)

## General Guidance

### Funding, Disbursement, Local Contributions, and Target Grants

SFY 2007 Local Environmental Protection Grants are financed by the Kansas Water Plan Fund. Pursuant to KSA 82a-951, only activities and projects which result in the protection and restoration of the waters of the state are eligible for water plan funding.

At this time, KDHE does not have a final appropriation for SFY 2007 Local Environmental Protection Program grants. We anticipate the appropriation to cover base grants at the formula level similar to last year's level. These amounts are shown in Appendix A.

The base grant payment will be made in mid-August. Quarterly affidavits and performance reports are submitted via the Kansas Clean Waters web site.

Counties receiving local environmental protection grants are required to provide a participant's local match or contribution. The participant's local match is based on a percentage of the state grant. The local match percentage is 10, 20, 30 or 40 based on the cost share rate criteria shown in Table 1.

<b>Table 1 – Local Match Rate</b>	
<b>Amount of Grant</b>	<b>Percentage</b>
\$23,000 and less	10%
Greater than \$23,000 and equal to or less than \$55,000	20%
Greater than \$55,000 and equal to or less than \$123,00	30%
Greater than \$123,000	40%

In the event the legislature appropriates more than is required by the formula, the excess will be granted as target funds. Please be advised there is no assurance that target grant requests will be funded.

LEP programs have flexibility in meeting the local match methods summarized in Table 2.

**Table 2 – Local Match Methods**

**Direct Cash:** Refers to the direct expenditure of funds derived from local sources for implementation of the Local Environmental Protection Plan. Examples are:

- **Appropriation from county general fund** -- Any appropriations from county-derived tax revenues used for implementing the local environmental protection program.
- **Service fees** -- Amount of revenue derived through the delivery of Local Environmental Protection Program services. Examples are permit fees, inspection fees, and water test fees.
- **Grants** -- Grants from state and federal agencies and private sector sources may qualify. The local entity should confer with KDHE concerning the eligibility of grants.

**In-kind:** Refers to the value of goods and services provided by the county that benefit the local environmental protection program or its personnel. Examples are:

- **Value of office space** -- The rental value of space in a county-owned building provided for LEPP personnel. Utilities (water, electricity and gas) may be included in the rental value or be added on if the quantity of these resources consumed by LEPP personnel can be calculated.
- **Indirect charges not claimed** -- The charge based on a fixed percent of the grant used to cover services, such as, but not limited to, accounting, utilities, or legal services. Indirect costs must be pre-approved by KDHE. A county or LEP group that has negotiated an indirect charge rate with KDHE or the federal government has the option to claim some or all indirect costs as local match. If indirect costs are claimed as in-kind, a copy of the agreement must be submitted to KDHE Watershed Management Section.
- **Supervisory or support personnel** -- The documented time personnel such as county commissioners, administrators, support staff, and LEP committee members spend on providing oversight, direction, or support to the local environmental protection program.
- **Volunteer time and mileage (advisory committees, etc.)** -- If the local environmental protection program uses unpaid citizen advisors or other volunteers, the time of the volunteers in service as well as any un-reimbursed cost of mileage and materials can be documented and claimed.

## State Water Plan Priorities

Some of the Basin Advisory Committees have also determined that other priority issues are important to their basin. All basin priority issues are listed in Table 3. LEP Programs need to be aware of these and be available to provide assistance.

The State Water Plan is located on the State Water Office website at <http://www.kwo.org/Kansas%20Water%20Plan/Kansas%20Water%20Plan.htm>

Table 3 – Basin Priority Issues													
Issue	River Basin												
	Cimarron	KS - Lower Republican	Lower Ark	Marais des Cygnes	Missouri	Neosho	Smoky Hill – Saline	Solomon	Upper Ark	Upper Republican	Verdigris	Walnut	
Protect and Restore Watersheds and Water Quality	X	X	X	X	X	X	X	X	X	X	X	X	
Conserve and Extend the Life of the Ogallala Aquifer	X		X				X	X	X	X			
Develop Regional Water Supply Strategies	X	X	X	X	X	X	X	X	X	X	X	X	
Salt Cedar & other Phreatophyte Control	X												
Enhancing Recreational & Educational Opportunities at Lake Meade	X												
Kansas River System Management		X					X	X		X			
Rattlesnake Creek Sub-basin			X										
Fort Scott Flooding				X									
Missouri River Management					X								
Water Based Recreation/River Access					X								
Management of Ozark Plateau Aquifer System and Spring River						X							
Protecting and Enhancing Instream Flows						X					X		
Water Management: Ground Water Declines							X	X					
Middle Arkansas Sub-basin Management									X				
Upper Arkansas River Water Quality and Streamflow									X				
High Priority Total Maximum Daily Loads									X				
Horse Thief Multi-purpose Reservoir									X				
Circle K Ranch									X				
Minimum Lake Level in Keith Sebelius Reservoir										X			

## **Information & Education**

KAR 28-66-1(b)(4) provides that an LEP Program must:

1. develop and implement a program to inform citizens at large of the goods and services provided by the local environmental protection program;
2. develop and implement a program to assist the regulated community understand and comply with relevant regulations; and
3. assist homeowners and contractors select the most appropriate water quality protection measure.

LEP Program activities that fulfill this requirement can be included under any sub-section of the LEP Plan. Activity examples for the Information & Education element are provided throughout Table 4.

## **Affidavits and Performance Reports**

Affidavits (expenditure reports) and performance reports are submitted on the KCW. Affidavits must be submitted quarterly.

Watershed field coordinators will check quarterly to see that each LEPP's performance report is up to date.

## Preparation and Submittal of the 2007 LEP Plan in the Kansas Clean Waters (KCW) system <http://kcw.kdhe.state.ks.us>

Access the KCW and submit the LEP Plan following the instructions below. Most of the 2007 LEP Plan is actually a copy of your 2006 LEP Plan. The sponsor contact, signatory authority, and team members have not been copied over and must be re-entered.

If you have questions, call your watershed field coordinator, Lisa Duncan (785-263-4195), or David Gurss (785-263-1683).

### Steps to prepare and submit your 2007 LEP Plan and Budget –

1. **Access Website** -- Access the Kansas Clean Waters (KCW) system.
2. **Log In** -- Click on “Log In” (top of menu bar to the left) to access the registration page.
3. **Registration Page** -- Enter the registered user name and password. Once logged in, the user can save information and log off at any time. **Save often to avoid being “timed-out”**.
4. **Grant Homepage** -- Click on “Grant Homepage” (top of menu bar on left). The Grant Homepage lists all projects, both LEPP grants and EPA319 grants.
  - a) For Help, click “?” button in top right corner for Help. Click “Return” when finished with Help.
  - b) Click on the blue LEPP button at the top of the Grant Homepage.
  - c) Click “Click to work on” to go to the “LEPP Home” page.
  - d) To print the grant proposal, click “Print Preview” (right side of the list) -- Preview your grant and print it at any time before you submit it to KDHE. Steps to print the grant are in Step 11.
5. **LEPP Home**
  - a) For Help, click “?” button in top right corner for Help. Click “Return” when finished with Help.
  - b) Follow the instructions to work on the Team, Manage, LEPP, and Budget sections one at a time. Complete the Team section first.
6. **Team** --
  - a) Click “Team” button in the row of buttons along the top.
  - b) For Help, click “?” button in the top right corner. Click “Return” when finished.
  - c) If necessary, revise “Sponsoring Organization” information. The green star means information is required, but more information is encouraged.
  - d) Add the “Sponsor Contact”. Click on the “Add Sponsor Contact” button near the bottom of the page. Click “Save”.
  - e) Add the “Signatory Authority” (the person who has authority to sign for the sponsoring organization). Click on the “Add Signature Authority” button near the



bottom of the page. Click "Save".

- f) Add "Team Members". Enter the name of a team member. Click the "Add Member" button on the bottom of the page. Add more team members in the same manner. Click "Save."
- g) Click "Home" button. If the "Team" section is complete, a check mark will appear next to "Team" on the "LEPP Home" page.

## **7. Manage**

- a) Click "Manage" button.
- b) For Help, click "?" button in the top right corner. Click "Return" when done.
- c) Fill out all fields (project start date is already entered).
- d) Click "Save" button.
- e) Click "Home" button. If the "Manage" section is complete, a check mark will appear next to "Project Management" on the "LEPP Home" page.

## **8. LEPP**

- a) Click "LEPP" button.
- b) For Help, click "?" button in the top right corner. Click "Return" when done.
- c) Click "Guidance" buttons for assistance with the "Overview" and with each of the LEP Plan sections.
- d) Text boxes -- Revise the existing text in the text boxes.
- e) Drop-down menus -- Select an answer in all drop-down menus, especially the menus that ask for the Lead Contact.
- f) Click "Save" button.
- g) Click "Home" button. If the "LEPP" section is complete, a check mark will appear next to "LEPP" on the "LEPP Home" page.

## **9. Budget.**

- a) Click "Budget" button
- b) For Help, click "?" button in the top right corner. Click "Return" when finished.
- c) To add a budget item –
  - i. Click "Add Budget Item" button.
  - ii. Select an "Expense Type". Enter budget info into the other four boxes.
  - iii. Click "Save" button. After an item is saved, the system will automatically go back to the LEPP Project Budget page.
- d) To view, revise, or delete a budget item –
  - i. Click on the little green arrow next to "LEPP Budget" under the Budget Detail bar.

- ii. Click on the expense item, which is shown in blue.
  - iii. Three options: 1) Revise and save the item. 2) Delete the item. 3) Cancel, which leaves it as is.
- e) To leave the LEPP Project Budget page –
- i. Click on "Save".
  - ii. Click on "Home".
  - iii. The budget can be saved at any time but a check mark won't show up on the LEPP Home page if LEPP grant expenses exceed the LEPP grant amount. If this happens, a note will show up at the bottom of the LEPP Home page.

10. **LEPP Home** -- If all four sections have a check mark next to them, a "Submit for Approval" button will appear at the bottom of the page.

- a) Print before submittal -- You may want to print a copy of the entire plan for review before you click on the "Submit for Approval" button. The print option is not available once the plan is submitted. Steps to print the plan before it is submitted:
- i. Click "Grant Homepage."
  - ii. Click "LEPP" button.
  - iii. Click "Print Preview" on the right side of the list.
  - iv. Click "Print" at the top of the page. Choose the printer and other options. Print the document.
  - v. Click "Return" at the top of the page.
- b) Submit the plan
- i. Click on the "Submit for Approval" button on the LEPP Home page.
  - ii. Click on "Log Off" in the menu to the left.

**Table 4 – State Fiscal Year 07 LEP Plan Guidance:  
Kansas Administrative Regulations (KARs) and Activity Examples**

Table 4 provides example language for completion of the Local Environmental Protection Plan. Text from this table has been included under the “Guidance” buttons on the web-based “Kansas Clean Waters” system.

<b>Table 4</b> <b>SFY07 LEP Plan Guidance</b>	
<b>Section</b>	<b>Kansas Administrative Regulations (KARs) and Activity Examples</b>
<b>Overview of LEP Plan</b>	<p><b>K.A.R. 28-66-4 --</b></p> <ol style="list-style-type: none"> <li>1. A local environmental protection plan shall be developed annually by the local entity and shall be submitted and approved by KDHE prior to any grant award.</li> <li>2. KDHE may issue a base grant after it has been determined that the local environmental protection plan is consistent with the environmental protection strategy of the state water plan, K.S.A. 75-5657, and all other statutes, regulations, documents or guidelines relevant to sanitary or environmental codes, or both, subdivision water and wastewater management, solid waste, hazardous waste, public water supply protection, and nonpoint source pollution.</li> <li>3. KDHE may withhold the approval of a local environmental protection plan if it is determined that the local entity has not satisfactorily completed the approved objectives under the previous year's local environmental protection plan, except that the applicant shall be given the opportunity to demonstrate compelling circumstances which prohibited the completion.</li> <li>4. Any local environmental protection plan may be amended during the state fiscal year. Each proposed amendment shall be submitted to KDHE in writing and KDHE shall provide written approval of the amendment.</li> </ol> <p><b>Local Environmental Protection Committee</b></p> <p>KAR 28-66-1(b)(5) provides that an LEP Program must “establish a local environmental protection committee to provide advice and counsel to the local entity on the content and administration of the local environmental protection plan.”</p> <p>As it is not likely that any single agency or organization within the plan service area will be responsible for all plan elements, a diverse and active LEP committee is essential to assure an effective comprehensive and unified local environmental protection plan.</p> <p>The LEP Committee should meet at least annually to “provide advice and counsel to the local entity on the content and administration of the local environmental protection plan”.</p> <p>During SFY 2007, membership of the local environmental protection committee should be reviewed to make sure that all local environmental protection plan elements are addressed.</p>
<b>Overview of LEP Plan (continued)</b>	<p>To assure coordinated protection of the county's water resources, the administrators of the various plan elements are</p>

**Table 4**  
**SFY07 LEP Plan Guidance**

Section	Kansas Administrative Regulations (KARs) and Activity Examples
	<p>encouraged to establish a formal or informal coordination team comprised of representatives of the various departments responsible for administering elements of the plan. <b>If such a coordination group currently exists, the plan should include a list of the members and a description of its operations.</b></p> <p><b>Example (Miami County program description for SFY03)</b></p> <p>The Local Environmental Protection Plan for Miami County was originally developed in 1991 by a committee of county employees appointed by the County Commission. The original committee included the Director of Public Works, the Director of Planning, the County Sanitarian and the Solid Waste Management Director. The Miami County Commission serves as the Board of Health for Miami County.</p> <p>The plan currently includes the Miami County Environmental Health Sanitary Code for onsite wastewater treatment systems and private drinking water supplies; the Miami County Solid Waste Management Plan, which is a regional plan as part of the Lake Region Solid Waste Authority; a permanent household hazardous waste collection facility; a non-point source pollution control plan administered by the Miami County Conservation District Office; and a public water supply protection plan which is supported by the local rural water districts and the Hillsdale Water Quality Project.</p> <p>The plan will be updated to describe how various city and county agencies work cooperatively to assure that the water resources in Miami County are able to protect and sustain the health and welfare of Miami County citizens and guests, plants and animals.</p> <p>A Technical Coordination Committee will be formed comprised of the Miami County Environmental Health Director, the Miami County Planning Director, the Miami County Public Works Director; the Lake Region Solid Waste Authority Coordinator; the Miami County Agriculture Extension Agent; and the Conservation District Manager. The Technical Committee will be formed in August and will meet in February, 2003 to determine what public input is needed and how the LEP plan can be coordinated.</p>
<b>Kansas Water Plan Priorities</b>	<p>The Water Quality Policy Section of the SFY2007 Kansas Water Plan recognizes the value of the Local Environmental Protection Program as a means of implementing the policies of the Plan. FY 2007 LEP Plans are required to identify activities and tasks the LEP Program will execute to contribute towards attainment of these Kansas Water Plan 2010 Objectives:</p> <ul style="list-style-type: none"> <li>• <i>By 2010, reduce the average concentration of bacteria, biochemical oxygen demand, dissolved solids, metals, nutrients, pesticides and sediment that adversely affect the water quality of Kansas lakes and streams.</i></li> </ul>

**Table 4**  
**SFY07 LEP Plan Guidance**

Section	Kansas Administrative Regulations (KARs) and Activity Examples
<b>Kansas Water Plan Priorities (continued)</b>	<ul style="list-style-type: none"> <li>• <i>By 2010, reduce the average concentration of dissolved solids, metals, nitrates, pesticides and volatile organic chemicals that adversely affect the water quality of Kansas groundwater.</i></li> <li>• <i>By 2010, ensure that water quality conditions are maintained at a level equal to or better than year 2000 conditions.</i></li> </ul> <p><b>Question 1</b> – How will the LEP Plan meet the Kansas Water Plan’s priority “to protect and restore watersheds and water quality?”</p> <ul style="list-style-type: none"> <li>• All LEP Programs need to address this priority in their LEP Plan.</li> </ul> <p><b>Question 2</b> – How will the LEP Plan meet the Kansas Water Plan’s priority “to conserve and extend the life of the Ogallala Aquifer?”</p> <ul style="list-style-type: none"> <li>• If the Ogallala Aquifer is a priority issue for your LEP Program, you need to address this priority in your LEP Plan.</li> </ul> <p><b>Question 3</b> – How will the LEP Plan meet the Kansas Water Plan’s priority “to develop regional public water supply strategies?”</p> <ul style="list-style-type: none"> <li>• All LEP Programs need to be involved in regional public water supply issues in their area.</li> </ul> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Prepare a fact sheet summarizing the Kansas Water Plan – 2010 Water Quality Objectives and the activities the LEPP is performing to address these. Distribute the fact sheet to community leaders.</li> <li>• Be available to provide assistance with all priority issues in basins included in your county or group area. Some of the Basin Advisory Committees have determined that other priority issues are important to their basin. All basin priority issues are listed on page 6 of this document.</li> <li>• Provide a report or presentation of LEPP accomplishments to Basin Advisory Committee members.</li> <li>• Encourage county elected officials to attend Basin Advisory Committee meetings.</li> <li>• Participate in Watershed Restoration and Protection Strategy (WRAPS) projects. Provide support services to WRAPS projects, such as inventorying existing onsite wastewater systems and private water wells.</li> <li>• Participate and/or encourage colleagues to participate in the Kansas Environmental Leadership Program <a href="http://www.oznet.ksu.edu/kelp/">http://www.oznet.ksu.edu/kelp/</a>. Participate in other training opportunities such as: quarterly KDHE-Watershed Management Section seminars; and meetings and conferences sponsored by Kansas Environmental Health Association, Kansas Small Flows Association, Kansas Water Environment Association, Kansas Rural Water Association, Kansas Section American Water Works Association, Basin Advisory Committees, etc.</li> <li>• Provide staff development and training.</li> <li>• Promote the Kansas Clean Water Pledge.</li> <li>• Work with local media sources (radio, television and newspapers), county extension offices, county conservation district and public schools to communicate goals and objectives of the LEP Plan to the general public. Explore opportunities for use of Public Access cable television channels for communication to the public.</li> <li>• TMDL activities</li> </ul>

**Table 4**  
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Section	Kansas Administrative Regulations (KARs) and Activity Examples
	<ul style="list-style-type: none"> <li>➤ Be aware of high priority TMDL watersheds in the LEP service area.</li> <li>➤ Be available to brief community leaders of high priority TMDL watersheds within the LEP service area and the significance of these to the people and communities of the LEP service area.</li> <li>➤ Devise a means of informing onsite wastewater system owners residing in high priority TMDL watersheds of their responsibility to assure adequate operation and maintenance of onsite wastewater treatment systems.</li> <li>➤ Where TMDLs have not been established: participate in TMDL development meetings; review and revise the Local Environmental Protection Plan as necessary to facilitate implementation of TMDLs; and assist in local needs assessments and studies. For detailed TMDL information see KDHE's web site at <a href="http://www.kdhe.state.ks.us/tmdl/">http://www.kdhe.state.ks.us/tmdl/</a></li> <li>• Public water supply protection activities <ul style="list-style-type: none"> <li>➤ Follow-up with non-community public water suppliers with completed source water assessments to provide counsel on actions the owner can take to address the threats identified though the source water assessment.</li> <li>➤ Identify onsite wastewater treatment systems within Zone A and B of the assessment area and provide owners information on the importance of proper operation and maintenance of onsite wastewater treatment systems.</li> <li>➤ Confer with public water supply system governing bodies and offer to assist in development of a public water supply protection plan.</li> <li>➤ Access the KDHE public water supply website at <a href="http://www.kdheks.gov/pws">http://www.kdheks.gov/pws</a> .</li> </ul> </li> <li>• Activities to address the statewide priority to develop regional public water supply strategies -- <ul style="list-style-type: none"> <li>➤ Maintain communication with the Kansas Water Office basin planner. Request to receive BAC meeting agendas, packets, and minutes. Access the KWO webpage at <a href="http://www.kwo.org">http://www.kwo.org</a> to keep updated on water supply issues in specific basins.</li> <li>➤ Be aware of all public water supply sources in the LEPP service area. Maintain communication with city water superintendents and RWD operators/managers. Ensure that county planning/zoning staff involve the LEPP in review of new development.</li> <li>➤ Assist small public water suppliers (small communities, multi-home systems, etc.) when they assess their water needs and explore alternative water supply sources. Participate in development of water supply feasibility studies.</li> </ul> </li> </ul>

**Table 4**  
**SFY07 LEP Plan Guidance**

Section	Kansas Administrative Regulations (KARs) and Activity Examples
<b>Code for Onsite Wastewater</b>	<p><b>KAR 28-66-1(6)(2)</b> -- Develop, implement and enforce an environmental code approved by the secretary of KDHE setting out standards for management of onsite wastewater systems for the treatment of domestic sewage only.</p> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Administer the onsite wastewater section of the sanitary code. Review and revise the code as needed. Revise the code if it does not reference KDHE Bulletin 4-2, "Minimum Standards for Design and Construction of Onsite Wastewater Systems."</li> <li>• Septic Tank Standards effective July 1, 2002 -- Review and update, as necessary, protocol and public information tools to assure that septic tanks installed after July 1, 2002 meet the standards set out by Bulletin 4-2. Work with local installers, manufacturers, and lending institutions to assure they are aware of tank standards.</li> <li>• Review guidelines and procedures for reviewing and permitting alternative onsite wastewater systems.</li> <li>• Class V Underground Injection Wells -- Report to KDHE the location and ownership of any Class V wells the LEP staff may discover during the course of executing the LEP Plan. An inventory form is located at KDHE's website at <a href="http://www.kdheks.gov/uic/CVOnlySanitary.pdf">http://www.kdheks.gov/uic/CVOnlySanitary.pdf</a>. Definition of a Class V UIC Well: Wells not included in other classes. Typically, Class V wells are shallow wells used to place a variety of fluids below the land surface. Definitions for all classes are located at <a href="http://www.kdheks.gov/uic">http://www.kdheks.gov/uic</a></li> <li>• Contact cities in your county to discuss any onsite wastewater system problems within city boundaries and ways the LEP Program can help resolve the problems (interlocal agreement; county health authority; etc.).</li> <li>• Consult the Environmental Health Handbook at <a href="http://www.kdheks.gov/nps/lepp">http://www.kdheks.gov/nps/lepp</a> for guidance on onsite wastewater systems.</li> <li>• TMDL implementation <ul style="list-style-type: none"> <li>➢ Include a specific description of how any failing onsite wastewater treatment systems located in areas likely to contribute to water pollution problems leading to TMDLs will be identified and corrected.</li> <li>➢ Describe how proper operation and maintenance will be achieved to prevent or minimize future water quality standards violations and TMDLs.</li> <li>➢ Develop protocol, guidance or regulations to assure that septage disposal does not contribute to degradation of surface and groundwater.</li> <li>➢ Revise sanitary code(s) to include special regulations for TMDL watersheds.</li> </ul> </li> </ul>

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**SFY07 LEP Plan Guidance**

Section	Kansas Administrative Regulations (KARs) and Activity Examples
<b>Code for Private Drinking Water Wells</b>	<p><b>KAR 28-66-1(b)(3)</b> -- Develop, implement and enforce an environmental code approved by the secretary of KDHE setting out standards for management of non-public water supply drinking water wells.</p> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Administer the private drinking water section of the sanitary code. Review and revise code as appropriate.</li> <li>• Devise a means of informing owners of private drinking water supplies of the quality of the drinking water, potential threats to the water supply, and ways to avoid contamination.</li> <li>• Contact cities in your county to discuss any private water well problems within city boundaries and ways your Program can help resolve the problems (interlocal agreement; county health authority; etc.).</li> <li>• Consult the Environmental Health Handbook at <a href="http://www.kdheks.gov/nps/lepp">http://www.kdheks.gov/nps/lepp</a> for guidance on private drinking water wells.</li> </ul>
<b>Subdivision Water and Wastewater</b>	<p><b>KAR 28-66-1(h)(1)</b> -- Development and implementation of a plan for subdivision water and wastewater pursuant to KSA 1992 Sup. 12-747, KSA 65-3311</p> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Devise a protocol to encourage maximum use of public water supplies and wastewater collection and treatment facilities.</li> <li>• Where onsite wastewater systems are proposed for subdivisions with public water supplies, devise a protocol to ensure that adequate wastewater treatment will be provided.</li> <li>• Where subdivisions occur or are proposed within TMDL watersheds, provide advice and counsel concerning actions needed to assure that TMDL goals are achieved.</li> <li>• Where onsite wastewater systems are proposed for subdivisions, coordinate with county staff to ensure that the LEP program is provided the opportunity to review the proposal before it is considered by county advisory boards.</li> </ul>



**Table 4**  
**SFY07 LEP Plan Guidance**

Section	Kansas Administrative Regulations (KARs) and Activity Examples
<b>Solid Waste Management</b>	<p><b>KAR 28-66-1(h)(2)</b> -- Development and implementation of a solid waste management plan pursuant to KSA 65-3405.</p> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Cooperate with local solid waste management personnel and other local agencies and organizations to prevent deposition of solid waste in waterways or remove solid waste from waterways.</li> <li>• Explore opportunities to minimize potential contamination impacts of solid waste management practices on public water supplies.</li> <li>• Work with local officials to develop and implement a water quality protection plan for local solid waste programs.</li> <li>• Household hazardous waste               <ul style="list-style-type: none"> <li>➢ Encourage citizens to use community household hazardous waste collection facilities where these are available.</li> <li>➢ Develop education materials and programs to encourage implementation of pollution prevention programs to minimize volume of household hazardous waste.</li> <li>➢ Apply for a grant from KDHE Bureau of Waste Management to develop or expand a household hazardous waste program or facility.</li> </ul> </li> </ul>
<b>Hazardous Waste Management</b>	<p><b>KAR 28-66-1(h)(2)</b> -- Development and implementation of a hazardous waste management plan pursuant to KSA 65-3430.</p> <p><b>Activity Example</b></p> <ul style="list-style-type: none"> <li>• Be knowledgeable of state hazardous waste rules and regulations to enable competent response or referral of questions to the appropriate authority.</li> </ul>
<b>Nonpoint Source Pollution Control</b>	<p><b>KAR 28-66-1(h)(4)</b> -- Participation in the development and implementation of a nonpoint source pollution control plan which identifies the activities and responsibilities of the local environmental protection program in the management of nonpoint pollutant sources.</p> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Local Nonpoint Source Pollution Management Plan -- Work with the county conservation district to review (and update as appropriate) the local nonpoint source pollution management plan. Emphasis should be placed on Watershed Restoration &amp; Protection Strategy (WRAPS) projects and on public drinking water source water areas.</li> <li>• Citizen Awareness of Nonpoint Source Pollution Control Duties &amp; Opportunities -- Devise a strategy to increase individual awareness of citizen's duties and responsibilities to prevent pollution of water resources. Consider a way to place "Be a Clean Water Neighbor" posters (available from KDHE) throughout the community.</li> </ul>

**Table 4**  
**SFY07 LEP Plan Guidance**

Section	Kansas Administrative Regulations (KARs) and Activity Examples
<b>Public Water Supply Protection</b>	<p><b>KAR 28-66-1(h)(5)</b>--Development and implementation of a public water supply protection plan which at the minimum:</p> <ul style="list-style-type: none"> <li>• Specifies the duties of local government agencies, the public water supplier and other local entities in the development and implementation of a public water supply protection plan.</li> <li>• Defines the public water supply protection area.</li> <li>• Identifies all potential contaminant sources within the defined protection area.</li> <li>• Identifies management practices that may be implemented to prevent contamination of the public water supply by each identified contaminant source including, information and education, technical assistance, financial assistance and local ordinances.</li> <li>• Establishes a contingency plan to provide an alternative source of drinking water if the public water supply is contaminated.</li> <li>• Requires for a new public water supply all potential contaminant sources within the expected protection area be identified and management practices be recommended.</li> </ul> <p><b>Activity Examples</b></p> <ul style="list-style-type: none"> <li>• Explore opportunities for developing a plan meeting the specifications of KAR 28-66-1(5).</li> <li>• Follow-up with non-community public water suppliers with completed source water assessments to provide counsel on actions the owner can take to address the threats identified though the source water assessment.</li> <li>• Identify onsite wastewater treatment systems within zone A and B of the assessment area and provide owners information on the importance of proper operation and maintenance of onsite wastewater treatment systems.</li> <li>• Confer with public water supply system governing bodies and offer to assist in development of a public water supply protection plan.</li> </ul>

## Appendix A

### Base Grant and Required Local Match Amounts by County SFY 2007 Local Environmental Protection Grants

County	Group	2000 Population	Base Grant	Local Match	
				%	Amount
Allen	Allen County Group	14,385	\$7,912	10%	\$791
Anderson	Single	8,110	\$7,000	10%	\$700
Atchison	NEKS Environmental	16,774	\$9,226	10%	\$923
Barber	Single	5,307	\$7,000	10%	\$700
Barton	Single	28,205	\$15,513	10%	\$1,551
Bourbon	Single	15,379	\$8,458	10%	\$846
Brown	NEKS Environmental	10,724	\$7,000	10%	\$700
Butler	Single	59,482	\$32,715	20%	\$6,543
Chase	Single	3,030	\$7,000	10%	\$700
Chautauqua	Single	4,359	\$7,000	10%	\$700
Cherokee	Single	22,605	\$12,433	10%	\$1,243
Cheyenne	NWKLEPG	3,165	\$7,000	10%	\$700
Clark	SWLEPG	2,390	\$7,000	10%	\$700
Clay	Rural Lakes LEPA	8,822	\$7,000	10%	\$700
Cloud	Rural Lakes LEPA	10,268	\$7,000	10%	\$700
Coffey	Single	8,865	\$7,000	10%	\$700
Comanche	Single	1,967	\$7,000	10%	\$700
Cowley	Single	36,291	\$19,960	10%	\$1,996
Crawford	Single	38,242	\$21,033	10%	\$2,103
Decatur	NWKLEPG	3,472	\$7,000	10%	\$700
Dickinson	Single	19,344	\$10,639	10%	\$1,064
Doniphan	NEKS Environmental	8,249	\$7,000	10%	\$700
Douglas	Single	99,962	\$54,979	20%	\$10,996
Edwards	Central Kansas LEPA	3,449	\$7,000	10%	\$700
Elk	Single	3,261	\$7,000	10%	\$700
Ellis	Single	27,507	\$15,129	10%	\$1,513
Ellsworth	Saline Co Group	6,525	\$7,000	10%	\$700
Finney	SWLEPG	40,523	\$22,288	10%	\$2,229
Ford	Single	32,458	\$17,852	10%	\$1,785
Franklin	Single	24,784	\$13,631	10%	\$1,363
Geary	Rural Lakes LEPA	27,947	\$15,371	10%	\$1,537
Gove	NWKLEPG	3,068	\$7,000	10%	\$700
Graham	NWKLEPG	2,946	\$7,000	10%	\$700
Grant	SWLEPG	7,909	\$7,000	10%	\$700
Gray	SWLEPG	5,904	\$7,000	10%	\$700
Greeley	NWKLEPG	1,534	\$7,000	10%	\$700
Greenwood	Single	7,673	\$7,000	10%	\$700
Hamilton	SWLEPG	2,670	\$7,000	10%	\$700
Harper	SC Coalition	6,536	\$7,000	10%	\$700
Harvey	Single	32,869	\$18,078	10%	\$1,808
Haskell	Single	4,307	\$7,000	10%	\$700
Hodgeman	SWLEPG	2,085	\$7,000	10%	\$700

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County	Group	2000 Population	Base Grant	Local Match	
				%	Amount
Jackson	NEKS Environmental	12,657	\$7,000	10%	\$700
Jefferson	NEKS Environmental	18,426	\$10,134	10%	\$1,013
Jewell	Phillips Co LEPG	3,791	\$7,000	10%	\$700
Johnson	Single	451,086	\$125,000	40%	\$50,000
Kearny	SWLEPG	4,531	\$7,000	10%	\$700
Kingman	SC Coalition	8,673	\$7,000	10%	\$700
Kiowa	SC Coalition	3,278	\$7,000	10%	\$700
Labette	Single	22,835	\$12,559	10%	\$1,256
Lane	NWKLEPG	2,155	\$7,000	10%	\$700
Leavenworth	Single	68,691	\$37,780	20%	\$7,556
Lincoln	Saline Co Group	3,578	\$7,000	10%	\$700
Linn	Single	9,570	\$7,000	10%	\$700
Logan	NWKLEPG	3,046	\$7,000	10%	\$700
Lyon	Single	35,935	\$19,764	10%	\$1,976
Marion	Single	13,361	\$7,349	10%	\$735
Marshall	Rural Lakes LEPG	10,965	\$7,000	10%	\$700
McPherson	Single	29,554	\$16,255	10%	\$1,626
Meade	SWLEPG	4,631	\$7,000	10%	\$700
Miami	Single	28,351	\$15,593	10%	\$1,559
Mitchell	Phillips Co LEPG	6,932	\$7,000	10%	\$700
Montgomery	Single	36,252	\$19,939	10%	\$1,994
Morris	Rural Lakes LEPG	6,104	\$7,000	10%	\$700
Morton	Single	3,496	\$7,000	10%	\$700
Nemaha	NEKS Environmental	10,717	\$7,000	10%	\$700
Neosho	Neosho	16,997	\$9,348	10%	\$935
Ness	Central Kansas LEPG	3,454	\$7,000	10%	\$700
Norton	NWKLEPG	5,953	\$7,000	10%	\$700
Osage	Single	16,712	\$9,192	10%	\$919
Osborne	Phillips Co LEPG	4,452	\$7,000	10%	\$700
Ottawa	Saline Co Group	6,163	\$7,000	10%	\$700
Pawnee	Central Kansas LEPG	7,233	\$7,000	10%	\$700
Phillips	Phillips Co LEPG	6,001	\$7,000	10%	\$700
Pottawatomie	Single	18,209	\$10,015	10%	\$1,002
Pratt	SC Coalition	9,647	\$7,000	10%	\$700
Rawlins	NWKLEPG	2,966	\$7,000	10%	\$700
Reno	Single	64,790	\$35,635	20%	\$7,127
Republic	Phillips Co LEPG	5,835	\$7,000	10%	\$700
Rice	Single	10,761	\$7,000	10%	\$700
Riley	Single	62,843	\$34,564	20%	\$6,913
Rooks	Phillips Co LEPG	5,685	\$7,000	10%	\$700
Rush	Central Kansas LEPG	3,551	\$7,000	10%	\$700
Russell	Central Kansas LEPG	7,370	\$7,000	10%	\$700

## Appendix A

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County	Group	2000 Population	Base Grant	Local Match	
				%	Amount
Saline	Saline Co Group	53,597	\$29,478	20%	\$5,896
Scott	NWKLEPG	5,120	\$7,000	10%	\$700
Sedgwick	Single	452,869	\$125,000	40%	\$50,000
Seward	Single	22,510	\$12,381	10%	\$1,238
Shawnee	Single	169,871	\$93,429	30%	\$28,029
Sheridan	NWKLEPG	2,813	\$7,000	10%	\$700
Sherman	NWKLEPG	6,760	\$7,000	10%	\$700
Smith	Phillips Co LEPG	4,536	\$7,000	10%	\$700
Stafford	Central Kansas LEPG	4,789	\$7,000	10%	\$700
Stanton	SWLEPG	2,406	\$7,000	10%	\$700
Stevens	Single	5,463	\$7,000	10%	\$700
Sumner	Single	25,946	\$14,270	10%	\$1,427
Thomas	NWKLEPG	8,180	\$7,000	10%	\$700
Trego	NWKLEPG	3,319	\$7,000	10%	\$700
Wabaunsee	Single	6,885	\$7,000	10%	\$700
Wallace	NWKLEPG	1,749	\$7,000	10%	\$700
Washington	Rural Lakes LEPG	6,483	\$7,000	10%	\$700
Wichita	NWKLEPG	2,531	\$7,000	10%	\$700
Wilson	Wilson	10,332	\$7,000	10%	\$700
Woodson	Allen County Group	3,788	\$7,000	10%	\$700
Wyandotte	Single	157,882	\$86,835	30%	\$26,050